

The State Debt.

The letters of Mr. S. ANDREW from London, which are appearing in the Dispatch, cannot fail to attract the attention of the reader. They show two things which are interesting. They show that Governor HOLLIDAY has been exerting himself with decided success to procure a conference between the State of Virginia and her creditors. And they show, further, that the bondholders are morally inclined, and that if they are met in the same spirit with which they are willing to enter the conference there must be a plan of settlement agreed upon. This is very important, and we should all understand that the troubles and losses of Virginia are considered, and that a liberal disposition prevails amongst those who hold the bonds of the State.

That Virginia is debtor for money used in building the public works that exist and in operation is true. That she ought to pay is also true. But unquestionably, if the causes of her troubles entitle her to indulgence, and if her ability justifies the apprehension that serious loss to her creditors may follow her attempt to meet her obligations in full—if this and these things be so—why, what on earth should prevent a settlement between the State and her creditors that will satisfy both? This would put the State in a position to reestablish her solvency, lift up her credit. In the world, and relieve her people of the pain of seeing her in trouble, and her commerce of the embarrassment of public discredit, which is sure to entail private discredit upon the community.

We see every reason for hope in this matter. We believe there are men enough now in the Legislature who desire peace and a plan of settlement in which debtor and creditor shall unite, and which shall infringe no right, and yet relieve the State from her unfortunate position, and restore public credit and the activity and contentment of the people to effect a settlement of this disturbing question.

Yellow-Fever.

A joint committee of Congress is to inquire "how far Congress, under the Constitution, can go in preventing the introduction and spread of yellow-fever." We doubt whether Congress will ever get beyond its nose "in preventing the introduction and spread of yellow-fever." It may as well talk about purging Washington city of corruption. If it could do either, constitutionally or unconstitutionally, it would bestow upon the nation a great blessing.

A committee of experts is also appointed who shall make thorough investigation and report all that they learn about yellow-fever. Dr. SELDEN, the eminent physician of Norfolk, is one of that committee. He is understood to be incredulous about the yellow-fever being contagious, and that we like him the better for it. If those who are most apprehensive and most fearful give bias to what may be done in fighting a thing so insuperable as yellow-fever, we shall have the old boy to pay. Look at the recent plague of that disease on the Mississippi. In the name of humanity, let us ask, what would the devoted people in the midst of the plague, at New Orleans and Memphis, have done but that the gates of St. Louis, and Louisville, and Nashville, and other towns, were wide open to the refugees? Wise and humane must be the laws that attempt to shut out yellow-fever, and do not shut out sympathy, charity, and humanity from the hearts of men.

A recent convention of homoeopathic physicians at New Orleans adopted a very sensible paper, and we state its principal points with no design to show any partiality for any method of practice amongst physicians.

According to this report, the convention of homoeopaths considered the yellow-fever to be a specific disease, caused by a morbid germ which requires for its generation and diffusion a combination of factors, such as the aggregation of human beings in a foul atmosphere, high temperature, long-continued calm weather, humidity, pestilential exhalations from the earth, and a deficiency of ozone in the air we breathe; that the disease is both indigenous and imported, and that the most strict quarantine against the latter would be a protection against the former; considering that the germs exist in a latent state at almost all seasons of the year in the tropics, awaiting to be roused into activity by some combination of the factors necessary to their vitalization. To prevent this development they recommend the strictest sanitary measures.

They take a strong stand against a national quarantine, and recommend the creation by the Federal Government of a permanent sanitary commission, composed of medical men, yellow-fever experts, and scientists, to be devoted exclusively to matters of public hygiene.

The Railroad and the Canal.

The Alexandria Gazette is both wise and loyal in its view of the sale of the canal and the building of a railway along the James River Valley. We copy the following paragraph from that paper of Tuesday. It gives sound advice to the Legislature to beware of rejecting liberal offers when Virginia is so oppressed in her commerce and her finances: "We trust the offer of the Richmond and Alleghany Railroad Company to buy the James River and Kanawha canal and turn it into a railroad will not be rejected by the General Assembly, but that it may be accepted, the road be built, and business be done on it, even if some of the profits fall to people outside of the State; that a large share will remain in the State no one doubts who knows anything about the expenses and profits of railroads. Some years ago a party of English capitalists tried to buy the canal, and were willing to pay quite a large sum for it, but their proposal was rejected. Don't let the same thing be done with the present offer, for the credit of the State is so low now and her prospects so dismal that it may be no such advantageous proposal as that now under consideration will ever be made again."

The Banks and the Rate of Interest.

Mr. LOVELL's proposition to pass a bill providing that the national banks shall forgo the principal of any debt upon which they charge more than six per cent. interest is one that has already been adjudged by the Supreme Court of the United States to be beyond the power of a State Legislature. In the case of *Barnes' and Mechanics' National Bank vs. Barnes* (12 Ab. Law Journal, p. 210), that tribunal reversed the decision from New York that "a contract made by a national bank in New York at a higher rate of interest than seven per cent. is void," as the New York law provides. The penalty of the national-banking law for failure to forgo the principal of the amount of interest charged, is the national bank is to be fined, and the State Legislature can add to this penalty. (Central National Bank vs. Pratt, 115 Mass. 639.)

New Orleans.

The question is frequently asked, How is New Orleans getting on? The inquiry is prompted by a generous sympathy. The "Creole City" has just emerged from a fearful plague. Well, any one who will go to New Orleans now will see the most active and cheerful city in the United States. Divinely regulated is the economy of life. Mercifully diffused are the energies that come to the help of the unfortunate, and that cheerfulness and hope, that succeed to affliction and woe. New Orleans is the grand example of this. Rapidly is that heroic city recovering her fortunes and her social peace and happiness. Yearly is her fate to have months of lassitude and inactivity, and she has become accustomed to the grand reaction that succeeds to this period. But the present year her recuperative energies have been increased in proportion to her greater demand for them, and at this very time, we repeat, there is a show of activity and heroic devotion to business there that is wonderful.

New Orleans is a noble city, and we are delighted to say this of her, and we are proud of the success of the plan which gives her deep water to sea and insures her prosperity.

The New York Times styles Judge RIVES's decision "Virginia's Great Grievance." The Times is mistaken. Judge RIVES feels the grievance to be more burdensome upon him than upon Virginia. He can spend UNCLE SAM's money in trying negroes for violating the laws of Virginia if he chooses to do so. New York has as much interest in the case as Virginia. Every negro in that city has the same right to a jury composed partly of negroes that our Virginia negroes have. Judge RIVES says that his decision is under a national law—a law which entitles Chinese to Chinese juries in California, women to jurywomen in Massachusetts, and all these classes, including negroes, to juries made up partially from different classes, whether in Maine or Texas or anywhere else.

New Books.

*Jeau; or, Clouds with a Silver Lining.* A Story. By BLANCHE WESCOTT. Philadelphia: J. B. LIPPINCOTT & Co.

This book is of Kentucky origin, and is dedicated to Miss BELLE FRIZ PATRICK, principal of an orphan school at Midway, Ky. People often find interest in a book from the statement of a fact like this.

For sale by WEST, JOHNSON & Co.

*A History of American Literature.* By SAMUEL COLE TYLER, Professor of English Literature in the University of Michigan. Vol. II. New York: G. P. PUTNAM'S SONS.

The first of these volumes brings the History of American Literature from 1607 to 1676; the second from 1677 to 1765. The author is not widely known, and his work must bear the test of scrutiny before a well-informed opinion can be pronounced upon it. The publishing part of the work is excellent, and Messrs. PUTNAM must secure for themselves the highest commendation for its execution. As a work of art it is worthy of any library. We always look at the style of publication as one evidence of the light in which a book is regarded by publishers—and they are excellent judges of the merit of a book.

For sale by WEST, JOHNSON & Co.

*The Playmate.* A Picture and Story-Book for Girls and Boys. Edited by UNCLE HENRY, editor of "Pratt's" &c. Philadelphia: LIPPINCOTT & Co.

This is a good-sized book, full of interesting reading and pictures that will interest our little friends.

For sale by WEST, JOHNSON & Co.

*My Picture Story-Book, in Prose and Poetry, for the Little Ones.* Edited by AMY HARRY. Philadelphia: LIPPINCOTT & Co.

Another very agreeable book for our young friends.

For sale by WEST, JOHNSON & Co.

*The Children's Treasury of Pictures and Stories.* T. NELSON & SONS, London, Edinburgh, and New York.

A very pleasant book for children, with stories, pictures and songs.

For sale by ELLYSON & YANCEY.

*Happy Hours in Picture-Land.* London: S. W. PARTRIDGE & Co. New York: T. NELSON & SONS.

Another present for our little friends, which they will peruse with delight.

For sale by ELLYSON & YANCEY.

*Baby Scrap-Book.* Boston: LATHROP & Co.

A very handsome picture-book, with many very amusing sketches, including the dressing-up of a poodle by little chubby legs, which will delight our young friends.

For sale by ELLYSON & YANCEY.

*Paper Money.* A Collection of the Principal Facts Bearing upon the Current Financial Discussion. By H. W. RICHARDSON. New York: D. APPLETON & Co.

A very timely little volume. We commend it to the perusal of shalloon-pated politicians. They will gather some facts from it that may be of service to them if they desire to become really wise and useful members of society.

For sale by WEST, JOHNSON & Co.

*The Diary of a Woman.* From the French of OCTAVE FEUILLET. New York: D. APPLETON & Co.

This is one of the books under the title of "Collection of Foreign Authors," in the course of publication by the APPLETONS.

For sale by WEST, JOHNSON & Co.

*Social Etiquette of New York.* New York: D. APPLETON & Co.

This is an emanation of New York conceit. That city is afflicted with the cancer of self-complacency. This book is one of the out-croppings of that disease. All the party gabblers of New York are considered great men of the nation. Every sensation of the day, and the whole world is expected to stand still while some mystery in the Gotham of pride and folly is unravelled. So nobody thinks that New York etiquette should rule the land, and gives us some account of it. Now, frankly we would respect the dictum of the refined and elegant ladies of New Orleans ten times more than we would the judgment of the fashionable shoddies of Gotham, and we speak not more frankly than sincerely.

Still people will want to see what this New York etiquette says. Messrs. WEST, JOHNSON & Co. have it for sale.

*Baby's Story-Book.* With Pictures and Silhouettes for Our Little Ones. By LUCIA E. RICHARDS. Boston: KATES & LAUREL.

A very luxurious story-book, which the "little ones" will appreciate.

For sale by ELLYSON & YANCEY.

*The Chatterbox.* New York: FRANK LESLIE.

This is one of the most colorful and varied of children's holiday books. It is quite a treasure in the infantile library.

For sale by ELLYSON & YANCEY.

GENERAL ASSEMBLY OF VIRGINIA.

Proceedings of the Fifteenth Day.

ELECTION OF CIRCUIT JUDGES.—THE CHARGES OF MEMBERS OF THE HAMPTON BAR AGAINST JUDGE MONTAGUE RAISE SOME EXCITEMENT IN THE HOUSE.—ANIMATED DISCUSSION THERE-OF.—ELECTION OF J. B. LACY AND HOMER-BURN OF THE "RED FOX."

WEDNESDAY, December 18, 1878.

SENATE.

Lieutenant-Governor WALKER presiding. A number of House bills were twice read and appropriately referred.

Mr. SPITLER, from the Committee on General Laws, reported House bill to incorporate the Marion Reading Club, of Marion, Smyth county; Senate bill for the relief of Nathan W. Williams from the payment of a fine; also, a resolution as to holding a constitutional convention, declaring the same inexpedient.

Mr. LEE, from the Committee on Roads, reported a bill to incorporate the Dan Valley and Yadkin-River Narrow-Gauge Railroad Company.

In executive session the Senate confirmed School of Fairfax county.

Mr. BETTS presented a petition of citizens of Westmoreland, Richmond, and King George counties asking the election of Judge Critcher as judge of the Tenth judicial circuit.

Mr. GAY, from the Committee on County, City, and Town Organizations, reported Senate bill to incorporate the town of Danielsville, in the county of Campbell, with amendments; Senate bill authorizing the rent of county courthouses for lectures, with amendments; House bill in relation to the assessment of real property for purposes of municipal taxation in the city of Alexandria, and to exempt and except said city from the act approved March 29, 1877.

SENATE. Senate bill (presented by Mr. SMITH this morning) to authorize the trustees of South Methodist church to convey to the heirs of Charles P. Roads a lot of land, &c.

Senate bill to incorporate the Dan Valley and Yadkin-River Narrow-Gauge Railroad Company.

Senate bill to amend section 16 of an act to provide for working the roads in Fauquier county.

House bill to regulate the working of the public roads in the counties of Prince William, Montgomery, Chesterfield, and Lancaster, approved February 25, 1878.

LEAVE OF ABSENCE.

On motion of Mr. CHILES, Mr. BLISS was granted three days' leave of absence.

On motion of Mr. DAVIS, Mr. HART of Pennsylvania was granted leave of absence until after the Christmas holidays.

On motion of Mr. SMITH, Mr. PAUL was granted three days' leave of absence.

ELECTION OF JUDGES.

At half-past 12 o'clock the General Assembly went into the election of circuit judges.

For judge of the Seventh judicial circuit, Mr. TANNER nominated Judge Beverly R. Wellford, and he was elected without opposition.

For judge of the Eighth circuit, Mr. BLAND nominated Judge R. L. Montague, of Middlesex, and spoke in his behalf.

Montague, in answer to Mr. B. W. Lacy, and advocated his claims.

Mr. GAYLE spoke in behalf of Judge Montague.

Mr. NORRIS seconded the nomination of Judge Montague.

The roll being called, the vote in the Senate resulted as follows: For Judge Montague, 80; for Judge Lacy, 80.

For judge of the Ninth circuit, Mr. NIXON nominated Judge James M. Jeffries, of King and Queen. Seconded by Mr. BETTS.

The joint order was postponed until tomorrow.

HOUSE OF DELEGATES.

Mr. HANCOCK in the chair. No prayer.

The Committee of Finance reported the resolutions in relation to a conference with the creditors of the State (published in this paper yesterday), notifying them that they may meet the Finance Committee here on the 15th of January if they are prepared to accept a settlement on the basis of the Barnes bill.

The committee was equally divided upon these resolutions, but one member changed his vote from "No" to "Aye" in order that something might be presented for the consideration of the House.

REPORTED FROM COMMITTEES.

House bill entitled "an act for the relief of the sureties of John Hudson, late of the Commonwealth of Virginia," with the recommendation that the House agree to the amendment of the Senate; several resolutions from the Committee for Courts of Justice, with the recommendation that they be referred to the Committee on Constitutional Amendments.

PRESENTED AND REFERRED WITHOUT READING.

By Mr. EDWARDS: Resolution requiring into the expediency of allowing a levy of a tax on merchants for county purposes.

Resolved, That the Committee for Courts of Justice inquire into the expediency of summing grand jurors to serve for one year.

By Mr. BERNARD: A bill to amend and reenact section 20 of chapter 10 of the act of the Assembly approved March 14, 1878, relating to crimes and punishments.

By Mr. WITTEN: A bill to amend the act granting a charter to the Virginia, Kentucky and Ohio Railroad Company.

By Mr. JORDAN: Resolved, That the joint Committee on Constitutional Amendments be and are hereby instructed to inquire into and report upon the expediency of so amending the Constitution as to change the time for the election of county district officers from the fourth Thursday in May to the first Monday in November.

Also, to extend the term of office for all county and district officers to four years.

By Mr. TROUT: A bill to prohibit in certain cases the granting of license to sell certain spirits by retail.

By Mr. BOHANNAN: Resolved, That the joint committee of the Senate and House of Delegates upon the Library inquire into the expediency of providing by law for the sale of so many copies of the map of the boundary-line between the States of Maryland and Virginia, accompanying the award of the commissioners appointed by the act of the General Assembly, as it may not in the judgment of said joint committee be necessary to retain among the archives of this State, at such price as will cover the cost incurred by this State in the preparation of such copies.

By Mr. SWANSON: A bill to amend the charter of the town of Suffolk.

LEAVE OF ABSENCE.

Was granted Messrs. WITTEN, JAMES G. GOODWIN, JAMES G. WALKER, J. SANDIDGE, FULTON, and MCCONNELL one day each, and FULTON, JAMES G. FRANKLIN, and McCALL two days each.

JOHN HUDSON.

The House agreed to the Senate amendment to the bill for the relief of the sureties of John Hudson, of Rockingham.

SENATE BILLS PASSED.

Authorizing a lien on all animals, vehicles, and harness kept by the keeper of a livery-stable, or of a house of private entertainment, to secure the payment of all charges due for keeping the same.

An act to provide for the relinquishment to the United States of title to and jurisdiction over lands within the State of Virginia for sites for life-saving stations.

ELECTION OF CIRCUIT JUDGES. At half-past 12 o'clock the House, in con-

junction with the Senate, proceeded to the election of circuit judges.

Seventh Circuit: Mr. HANCOCK nominated Judge Beverly R. Wellford for reelection.

Seconding speeches were made by Messrs. EDWARDS, WILLIAM TAYLOR, and FULTON. Judge Wellford received the unanimous vote of the House.

Eighth Circuit: Mr. J. H. ROBINSON nominated for judge of this circuit Mr. B. W. Lacy, member of the House from New Kent county, and seconded by Mr. FULTON.

The charges against Judge Montague, signed by four members of the Hampton bar.

The following were the main points of objection in the charges: addressed to the General Assembly and read by Mr. ROBINSON:

"1st. Because his education, training, and habits of life have led him into the field of political thought, study, and experience rather than into the forum of judicial law and practice.

"2d. His delay in deciding plain questions of law and fact.

"3d. His lack of dignity and decorum upon the bench, two instances of which now occur to us:

"On one occasion during an altercation between two members of his bar, during the session of his court, he invited them to go outside the court-house and fight on the bench, two instances of which now occur to us:

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"Subsequently, to two other attorneys that if they wished to fight, go to the 'Sand Hills' at Old Point, and stand their chances before the grand jury for murder.

"Such conduct we conceive to be subversive of that respect and reverence which is due to a court of justice.

"4th. No man knows when his case is concluded before him. He frequently talks to others, and allows others to talk to him, about cases pending in his court, and expresses his opinion upon matters of fact, and fact which he knows he must be called upon to decide.

"He has been known to state plainly what his decision in an important case would be before the case was argued before him, and in one instance at least, which we now recall, he heard the statements of an interested party and closed, and while he held the papers for decision, and upon hearing the statement of the party remarked: 'Is that so? Well, certainly I will give you a judgment.'

"5th. He has a favorite theory by which he decides cases upon his own conception of the law, and that by well settled principles of law. For instance, in a chancery case in which an injunction had been awarded, but had been subsequently wholly dissolved in vacation, a motion was made at the next regular term of the court to reinstate the same. The motion was denied, and the case directed to be entered dismissing the bill and directing the cause to be removed from the docket, but the Judge refused to give the defendant his costs because, as he expressed it, 'it would be a great hardship upon the plaintiff.' [See chapter 175, section 14, Code of Virginia.]

Very respectfully,

"WILLIAM S. HOWARD,

"ARTHUR S. SEGAR,

"S. W. ARMISTEAD,

"G. M. PECK,

"of the Hampton bar."

Mr. FINNEY, who was seated beside Mr. ROBINSON when the charges had been read, said: I deny the whole accusation, and call for proof. [Laughter and applause.]

Mr. BOHANNAN, of Matthews, nominated Judge Montague.

In reference to the charges of the Hampton gentlemen, he said that they (the charges) had been in Richmond for three or four weeks, but they were heard for the first time by the friends of Judge Montague this morning. He denied them in all substantial particulars, and gave a list of gentlemen of the Peninsula. As to the charge of the circuit so far as to include Matthews and Middlesex, the latter the county of Judge Montague, Mr. BOHANNAN said that if anyone be, not Judge Montague, was the criminal, Mr. BOHANNAN read a memorial from seven members of the Hampton bar praying for the reelection of Judge Montague.

Mr. BOHANNAN read letters of or gave statements from Surry, York, Charles City, Mathews, Middlesex, and other counties asking that Judge Montague be reelected, and saying that he had given almost universal satisfaction as a judge.

A charge was made by Mr. BOHANNAN, and drew more than was justly due him for mileage, Mr. BOHANNAN answered by figures from the Auditor's office, showing that Judge Montague had gotten no more than he was entitled to under the law, and no more, considering distances, &c., than his predecessors.

Mr. BOHANNAN urged the nomination of Mr. Lacy, but said that he believed Judge Montague had done nothing dishonest or dishonorable.

Mr. FAUNTLEROY, addressing the Speaker, said: I feel most sensibly the responsibility of the duty of discharging the duty of the Commonwealth of Virginia—the election of her judges, to whom, for the next eight years, will be committed the lives, liberties, and property of all her people. It is indeed, sir, a great office; for though its pay is small, it is a high one, and it is a duty of God, and in the utter fearlessness of man, is earth's highest station, second only in sacredness to the ministry of the gospel. In the fullest appreciation of this great duty I esteem it the most pleasing privilege of my life to second the nomination of Judge Montague to the Eighth judicial circuit—an office which he has filled for some years with honor to himself and to the satisfaction of the vast majority of the bar and people of the circuit, as he did for four years preside with dignity and ability over the Supreme Court of this Commonwealth.

Resolved, That the Committee on the Judiciary of the Commonwealth of Virginia, in the name of God, and in the utter fearlessness of man, is earth's highest station, second only in sacredness to the ministry of the gospel. In the fullest appreciation of this great duty I esteem it the most pleasing privilege of my life to second the nomination of Judge Montague to the Eighth judicial circuit—an office which he has filled for some years with honor to himself and to the satisfaction of the vast majority of the bar and people of the circuit, as he did for four years preside with dignity and ability over the Supreme Court of this Commonwealth.

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of Judge Montague would be an endorsement of constructive mileage; yet he did claim nothing for himself on reelection upon the charges of Judge Montague.

Mr. BOHANNAN pronounced unequivocally false the statement of S. W. ARMISTEAD that Judge Montague had "marked Williamburg on his satchel and came to the Legislature and had Middlesex and Matthews counties added to his circuit."

BOHANNAN asserted in detail the other objections to Judge Montague.

The vote in the House resulted:

For Judge Montague—Messrs. Anderson, Ashton, Bland, Boone, Buchanan, Brown, Burger, Clark, Cook, Crawford, Cretzschmar, Dyer, Edwards, Edwards, Evans, Fannin, Ficklen, Finney, Fry, Grave, Gray, Green, Grigsby, Hall, Hanson, Hargis, Harlan, Harts, Healy, Henson, Henson, Johnson, Johnston, Jordan, Keeser, Kyle,